IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

NOTICE OF MOTION NO.4671 OF 2007
IN
SUIT NO.3256 OF 2007

Chandrashekhar Achyut Mulye & Anr. ...Plaintiffs.
Vs.
Vijay Harishchandra Powale. ...Defendant.

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Mr. J.S. Kini i/b. Suresh Dubey for the Plaintiffs.
Mr.A. L. Latnekar for the Defendant.

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CORAM :DR.D.Y.CHANDRACHUD, J.
December 19, 2007.

P.C.:

Counsel appearing on behalf of the Plaintiffs and the Defendant are agreed that the following order may be passed by consent on the instructions of their respective clients who are present before the Court:

1. The Court Receiver shall stand appointed as Receiver of the suit premises bearing Shop No.7, Ground Floor, situated at Shanti Building, 186 Khadilkar Road, Girgaon, Mumbai400 004.

2. The Receiver shall appoint the Defendant as his agent without security, but subject to the payment of monthly royalty of Rs.12,000/-. The royalty at the aforesaid rate shall be payable with effect from 1st October 2007. The Defendant shall pay royalty at the previous rate of Rs.6,000/- per month until the aforesaid date. The arrears shall be computed upon production of receipts before the Receiver within a period of four weeks from today and the arrears shall be deposited within a period of four weeks thereafter.

3. The Plaintiffs will be at liberty to withdraw the amount of royalty upon deposit, subject to the deduction of expenses of the Receiver.

In view of the aforesaid arrangement that has been arrived at, no further orders are necessary. The Notice of Motion is accordingly disposed in the above terms.

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